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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 SAMUEL LEE GORE,

12 Plaintiff,

13 v.

14 GAVIN NEWSOM,

15 Defendant.
16

No. 2:21-CV-1189-KJM-DMC-P

ORDER

17 Plaintiff, a prisoner proceeding pro se, brings this civil rights action under
18 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge under the Eastern
19 District of California local rules.

20 On September 22, 2021, the Magistrate Judge filed findings and recommendations,
21 which were served on the parties and which contained notice that the parties may file objections
22 within the time specified therein. No objections to the findings and recommendations have been
23 filed.

24 The court presumes that any findings of fact are correct. *See Orand v. United*
25 *States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are
26 reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations
27 of law by the magistrate judge are reviewed de novo by both the district court and [the appellate]

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1 court . . ."). Having reviewed the file, the court finds the findings and recommendations to be
2 supported by the record and by the proper analysis.


3 Accordingly, IT IS HEREBY ORDERED that:

4 1. The findings and recommendations filed September 22, 2021, are adopted
5 in full;

6 2. This action is dismissed without prejudice for lack of prosecution and
7 failure to comply with court rules and orders; and

8 3. The Clerk of the Court is directed to enter judgment and close this file.

9 DATED: November 16, 2021.

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12 CHIEF UNITED STATES DISTRICT JUDGE
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